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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   CHRISTOPHER TAYLOR,

CASE NO. C18-1802 RSM

10                  Plaintiff,

ORDER GRANTING DEFENDANT KING  
11                  v.  
12                  COUNTY'S MOTION TO DISMISS

KING COUNTY,

13                  Defendant.

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15                  This matter is before the Court on Defendant King County's Motion to Dismiss (Dkt. #6).  
16 Plaintiff filed this action in the Superior Court of Washington for King County on October 19,  
17 2018. Dkt. #1 at 5–6. Plaintiff specified that: "This suit is brought against King County WA  
18 under the torture act and ATA anti[-]terrorism act for conspiracy to infringe with the public and  
19 FBI on intellectual property of legislation of marijuana restate and the exclusive right on a  
20 software program and a patent and copyright on a water system." Dkt. #1 at 5–6 (errors in  
21 original). Defendant removed the action to this Court because Plaintiff asserted claims under  
22 federal law. Dkt. #1.

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24                  Defendant now seeks dismissal under Federal Rule of Civil Procedure 12(b)(6). Dkt. #6.  
25 Rule 12(b)(6) provides for dismissal where a complaint fails "to state a claim upon which relief  
26 can be granted." Fed. R. Civ. P. 12(b)(6). A complaint is sufficient when it contains allegations

1 establishing “a claim to relief that is plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678  
2 (2009).

3 Here, Defendant succinctly details that Plaintiff has alleged claims upon which he cannot  
4 obtain relief and has failed to adequately plead those claims. Dkt. #6. First, Plaintiff’s claims  
5 under the Torture Act (18 U.S.C. §§ 2340–2340b) fail because Plaintiff cannot seek a civil  
6 remedy under this federal criminal statute. Dkt. #6 at 3–4. Defendant also notes that, regardless,  
7 the Torture Act applies to acts and attempted acts of torture occurring outside of the United  
8 States, and Plaintiff has not alleged any acts occurring outside of the United States. *Id.* at 3–4  
9 (citing 18 U.S.C. § 2340a). Second, Defendant notes that Plaintiff’s claims under the Anti-  
10 Terrorism Act (18 U.S.C. §§ 2331–2339d) fail because, while the act does provide for civil  
11 remedies, ATA addresses acts of “international terrorism.” Dkt. #6 at 4–5 (citing 18 U.S.C.  
12 § 2333(a)). Defendant notes that “Plaintiff does not allege that he suffered damage to person or  
13 property as a result of international terrorism.” Dkt. #6 at 5. Defendant accordingly argues that  
14 Plaintiff has not pled a claim upon which relief can be granted and that Plaintiff’s action must be  
15 dismissed. *Id.*

16 Plaintiff has not responded.<sup>1</sup> Pursuant to the Court’s Local Civil Rules, the Court  
17 considers Plaintiff’s failure to respond to be “an admission that the motion has merit.” LCR  
18 7(b)(2). For this reason and the reasons detailed above and in Defendant’s Motion, dismissal is  
19 appropriate.<sup>2</sup>

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21 <sup>1</sup> The Court also notes, as Defendant pointed out, that Plaintiff has had four similar actions  
22 before this Court, all of which have been dismissed in their preliminary stages. *Taylor v. DEA*,  
23 Case No. 18-334RAJ; *Taylor v. DEA*, Case No. 18-687RSM; *Taylor v. Microsoft*, Case No. 18-  
24 899RAJ; and *Taylor v. FBI Seattle*, Case No. 18-1045RSM.

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26 <sup>2</sup> The Court further finds that leave to amend should not be granted as any such amendment  
would be futile. *Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir. 1987) (leave to amend should be

1 Accordingly, having reviewed Defendant's Motion and the relevant record, the Court  
2 finds and ORDERS that Defendant King County's Motion to Dismiss (Dkt. #6) is GRANTED,  
3 all of Plaintiff's claims are DISMISSED and this matter is CLOSED.

4 DATED this 14<sup>th</sup> day of February 2019.

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6 RICARDO S. MARTINEZ  
7 CHIEF UNITED STATES DISTRICT JUDGE  
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granted "unless it is absolutely clear that the deficiencies of the complaint could not be cured by amendment").